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Attorneys for Telesis Construction

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: CHARLES F. LUPPOLD, INC.	:	Chapter 7
Debtor	:	Bankruptcy No. 02-24309
	:	
ROBERT H. HOLBER, CHAPTER 7 TRUSTEE:	:	Adversary No. 04-2355
Plaintiff	:	
	:	
vs.	:	
	:	
TELESIS CONSTRUCTION, INC.	:	
Defendant	:	

**ANSWER TO COMPLAINT FOR TURNOVER AND COLLECTION OF
ACCOUNTS RECEIVABLE PURSUANT TO 11 U.S.C. § 542(b)**

1. Denied as a conclusion of law.
2. Denied as a conclusion of law.
3. Admitted.
4. Denied. By way of further response, the business address of Defendant Telesis Construction is 1030 Continental Drive, King of Prussia, PA 19406.
5. Admitted.
6. Denied. By way of further response, the referenced invoices are documents the content of which speaks for itself.

7. Denied. By way of further response, the referenced demand is a document the content of which speaks for itself.

8. Denied.

WHEREFORE, Telesis Construction requests that judgment be entered in its favor, dismissing Plaintiff's claims with prejudice and awarding to Telesis Construction all costs of suit incurred in this Court including reasonable attorney's fees and all other relief which this Court deems just and appropriate.

AFFIRMATIVE DEFENSES

First Affirmative Defense

Plaintiff's complaint fails to state a claim upon which relief can be granted.

Second Affirmative Defense

Plaintiff's claims for relief are barred by the applicable statute of limitations.

Third Affirmative Defense

Plaintiff's claims are barred in whole or in part because debtor has waived its claims for relief.

Fourth Affirmative Defense

Plaintiff's claims are barred in whole or in part because debtor has released its claims for relief.

Fifth Affirmative Defense

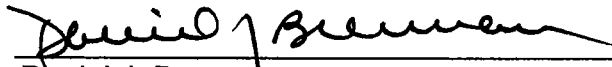
Plaintiff's claims are barred in whole or in part because Debtor has received payment for its work in accordance with the subcontract agreement.

WHEREFORE, Telesis Construction requests that judgment be entered in its favor against Debtor, dismissing Debtor's claims with prejudice and awarding to Telesis Construction all costs of suit incurred in this Court including reasonable attorney's fees and all other relief which this Court deems just and appropriate.

McAleese, McGoldrick, Susanin & Widman, P.C.

Date: 09-24-04

By:


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Plaintiff	:	
	:	
vs.	:	
	:	
TELESIS CONSTRUCTION, INC.	:	
Defendant	:	

CERTIFICATE OF SERVICE

I certify that I am this day serving a copy of the Answer to Complaint for Turnover and Collection of Accounts Receivable Pursuant to 11 U.S.C. §542(b) upon the persons and in the manner indicated below.

Service by United States First Class Mail, addressed as follows:

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41 East Front Street
Media, PA 19603
Chapter 7 Trustee

Office of U.S. Trustee
833 Chestnut Street, Suite 500
Philadelphia, PA 19107
United States Trustee

Date: 09-24-04

By:


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